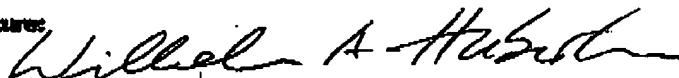


Patent Application No.: 10/605,040**FAX****RECEIVED
CENTRAL FAX CENTER****MAR 17 2005****To:** Charles E. Phillips, USPTO, and Art Unit 3751**FAX:** 703-872-9302**Phone:** 703-308-1515**Pages:** 2 pages including cover page**From:** Wilhelm A. Haberkorn**Signature:****Phone:** 912-598-9649**FAX:** 912-598-8668**Date:** March 17, 2005**Re:** Patent Application No. 10/605,040**Reference to Huck et al:**

Dear Mr. Phillips:

1. 10/605,040 is a refinement of U.S Patent No. 6,754,913. The signed terminal disclaimer under 37 CFR 1.321(c) was submitted to overcome the obviousness-type double patenting issue.
2. Huck et al teach the use of an insulated (124) sealed water tank 114 employing a line source. However, there are a number of significant differences between Huck and Patent Application No. 10/605,040.
3. While Huck teaches the use of a sealed insulated tank connected to a line source, there are substantial non-obvious differences between Huck and 10/605,040. Some of those difference are as follows:
 - a. Huck uses large external devices to provide heated water to a manually operated 'arcuate' spray arm, while 10/605,040 teaches the use of compact integrated apparatuses. There is a substantial esthetic difference in consumer appeal between

both apparatuses. The more compact, less bulking design being preferred for residential applications.

- b. The use of a completely integrated unit as proposed in 10/605,040 in form of an encapsulating housing, integrating all required components into one compact unit, is not addressed by Huck. While Huck requires a significant effort to insulate his unit, not such extensive effort is required with the compact design. The encapsulation housing serves in this regard a dual function, housing all components and providing the desired thermal insulation.
 - c. Huck's liberal use of space results in a spread-out design with negative operational consequences. Long water lines, by necessity, create water waste, which compact designs do not face. Additionally, those long lines do not provides the instant service the user demands from such an application. Typically, a user experiences a change in water temperature until steady state is reached. This is particularly true if residual water resides in those long lines; long lines are prone to these kinds of problems. Compact designs with short lines offer substantial improvements in this regard.
 - d. Huck's design does not teach the use of sealed water tank pressure to move the spray nozzle into and out of its operating position as proposed in 10/605,040. The approaches in both designs are radically different; Huck uses a manual approach to move the nozzle assembly, while 10/605,040 does not rely on the user to position the nozzle assembly.
4. In conclusion, while there is a similarity in the use of a sealed pressurized tank between Huck and 10/605,040 on the general level, those similarities disappear on the specific level. The resulting designs and their achieved difference in functionality support this point.

Kind regards,

W. A. Haberkorn